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ABSTRACT

Designed for Hmong parents of students with disabilities living in Oregon, this brochure describes the general mediation process that parents can use to resolve special education services disputes with schools. It begins by discussing what mediation is and the characteristics of a trained mediator. It addresses the requirement for making mediation available to parents under the Individuals with Disabilities Education Act and the benefits of mediation. Some potential concerns about mediation are listed and frequently asked questions about mediation are answered. The last part of the brochure lists ways parents can prepare for mediation, including identifying the issues to discuss, making a written list, writing out any questions that need to be addressed, organizing documents, anticipating questions, considering all possible solutions, using parent resources, and asking a parent advocate for help. Comments by parents who have had successful outcomes using mediation are provided, as well as additional resources for more information. (CR)

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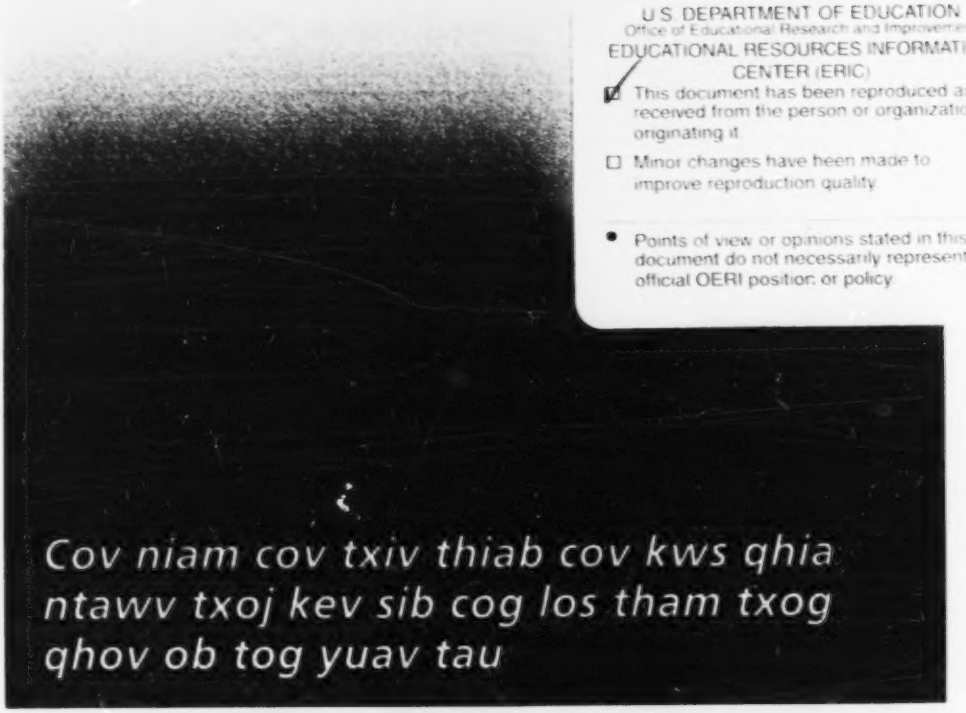

Special Education Mediation—Hmong Version

EC 308950

Consortium for Appropriate Dispute Resolution in Special Education

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Kev xab thooj yog dab tsi?*

- Kev xab thooj yog txoj kev coj ob tog los sib tham ua ke los daws lawv cov lus tsis sib haum.
- Muaj ib tug laus neeg tsis tuaj tog twg yuav los coj ob tog sib kho qhov lawv tsis txaus siab.
- Ob tog yuav los txiav txim siab tias yuav yuav li cas. Ib tog twg muaj caij los piav qhov lawv tsis txaus siab thiab hais tawm qhov lawv yuav tau.
- Qhov ob tog los sib tham kho cov lus tsis sib haum yog qhov coj ob tog los sib cog kho kom tau qhov ob tog yuav tau.
- Kev xab thooj yuav nyob ntawm ob tog yeem. Ob tog yuav tsum pom zoo los koom txoj kev sib kho no.
- Qhov tau los sib kho no yuav tsis muab nthuav tawm rau leej twg paub. Leej twg yuav muab tsis tau cov lus sib tham hauv kev xab thooj no coj los hais rau hauv kev kho ob tog lus lawm yav tom ntej.

Tus laus neeg no yuav los

- coj ob tog sib tham tim ntsej tim muag
- tsim kom muaj qhov chaw kab ntsab rau ob tog los sib kho, coj ob tog los tawm ncauj tawm lus kom sib to taub txog qhov ob tog xam pom
- ua tus neeg nruab nrab, tsis tuaj leej twg tog.
- muab qhov ob tog pom zoo thiab tsis pom zoo coj los piav kom meej pem
- pab nrhiav qhov ob tog yuav yuav tau los rau ob tog xav
- pab muab cov lus ob tog pom zoo coj los sau cia rau hauv ntawv

Kho cov lus tsis sib haum hauv kev kawm ntawv tshwj xeeb

- Cov niam cov txiv thiab cov kws qhia ntawv muaj cuab kav muab qhov lawv hais tsis sib haum txog tus me nyuam txoj kev kawm ntawv tshwj xeeb (cov me nyuam tsis taus uas muaj hnub nyoog txij thaum yug mus txog 21 xyoos) coj los xab thooj.
- Kev xab thooj yog txoj kev sib kho kom tau qhov ob tog yuav tau uas yog qhov yuav txhawb tau tus me nyuam txoj kev kawm tiag tiag.

** Phaum ntawv no piav txog txoj kev xab thooj. Cov lus hais no tsis yog cov yuav los txhais, los kho, los sis hloov qhov ceem fwv txoj cai tau teev tseg.*

Kho cov lus tsis sib haum hauv kev kawm ntawv tshwj xeeb

"Ib tsev neeg uas kuv tau pab lawv los lawm tau muaj lus cov nyom nrog koog tsev kawm ntawv uas lawv tus me nyuam mus kawm. Lawv ob tog hais tsis sib haum los tau ob xyoos ntau lawm. Kuv qhia kom lawv tig los muab lawv cov lus tsis sib haum coj los xab thooj.

Txoj kev xab thooj no ua rau tsev neeg thiab tsev kawm ntawv los hnov qhov ob tog xam pom thiab to taub txog qhov tau tshwm sim los. Txawm leej niam thiab leej txi hais tsis tau txhua qhov li nkawv xav tau los pab nkawv tus me nyuam los, qhov nkawv tsis txaus siab txog tus me nyuam txoj kev kawm ntawd tau muab coj los piav meej pem thiab koog tsev kawm ntawv tau lees los qhia tus me nyuam li ob tog tau pom zoo."

— Ib tug tub thoob tswv yim pab cov niam txiv hais tawm li no

Tsab cai kawm ntawv ntawm tib neeg tsis taus

Thaum ceem fwv congress rov muab tsab cai no teev ua cai siv mus ntxiv, ceem fwv tau teev ib cov lus ntxiv kom fab kev kawm ntawv hauv xeev yuav tsum muaj txoj kev xab thooj los kho ob tog thaum uas ib tog twg tau hais kom muaj kev sib kho ob tog lus. Peb xav kom koj paub cov lus txoj cai kawm ntawv ntawm tib neeg tsis taus xyoo 1997 tau teev cia kom muaj kev xab thooj no ntau ntxiv.

Yog koj xav paub txog cov lus txoj cai tau teev cia txog kev xab thooj los sis xav tau ib daim qauv, thov hu rau:

The Technical Assistance Alliance for Parent Centers (Qhov chaw koom txhawb tswv yim rau cov koom haum txhawb nqa niam txiv), tus xov tooj hu tau dawb yog: 1-888-248-0822

The National Information Center for Children and Youth with Disabilities (Koom haum tsim ntaub ntawv hais txog cov me nyuam thiab cov hluas tsis taus), tus xov tooj hu tau dawb yog: 1-800-695-0285

Cov lus tsab cai teev cia no kuj muaj nyob hauv qhov chaw txhim kho kom muaj kev sib kho yooj yim hauv kev kawm ntawv tshwj xeeb, CADRE, tus Web site: *www.directionservice.org/cadre/idea*

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qhia ntawv muaj lub caij los piav qhov lawv tsis txaus siab.

Hais kom muaj kev xab thooj

- Cov niam cov txiv, tub kawm ntawv (cov uas muaj hnub nyoog 18 xyoo rov sau), los sis cov tub lis hauj lwm hauv tsev kawm ntawv muaj cai hais kom muaj kev xab thooj thaum cov niam txiv thiab tsev kawm ntawv muaj lus tsis sib haum los sis tsis muaj cuab kav sib kho tau lawm.
- Txhua lub xeev yeej muaj tus qauv rau sawv daws siv txog qhov hais kom muaj kev xab thooj.
- Cov ntaub ntawv sau hais kom muaj kev xab thooj no muaj nyob hauv koog tsev kawm ntawv chaw ua hauj lwm, cov koom haum thoob tswv yim pab cov niam txiv, tsev qiv ntawv saib, fab kev kawm ntawv hauv xeev, thiab lwm qhov chaw ua hauj lwm.

"Tus thoob tswv yim pab cov niam txiv pab tau kuv ua lub siab loj tuaj. Kuv xav tias qhov nws tuaj koom rooj sib kho ntawd ua rau kuv mloog raug qhov tog to hais thiab nws pab kom kuv hais txhua qhov li kuv xav hais..."

—Ib tug niam txiv hais tawm li no

Txiaj ntsim ntawm txoj kev xab thooj

- Cov niam cov txiv thiab cov kws qhia ntawv yog cov los hais haum qhov ob tog yuav tau rau thaum kawg, tsis yog cia rau lwm tus los txiav txim rau ob tog yuav.
- Ob tog yuav tau los sib tham, thiab txiav txim siab tias ob tog yuav yuav li cas.
- Qhov haum rau ob tog yog qhov ob tog yuav txaus siab rau.
- Kev xab thooj yuav pab kom txhua tus to taub zoo txog qhov lwm tus xam pom.
- Kev xab thooj yuav tsis raug nqi ntau thiab yuav kho tau cov lus tsis sib haum ntawd sai dua li qhov hais muaj yeej muaj swb.
- Qhov ob tog hais haum raws li ob tog nyiam yuav ua rau sawv daws ua raws li qhov tau hais tseg lawm ntau dua.

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Tej kev txhawj xeeb muaj nyob hauv kev xab thooj

- Kev xab thooj no yuav ua rau koj ntxhov siab, sab, thiab yuav yog ib qho ua rau koj tsaus ntuj nti los muaj.
- Tej zaum cov niam cov txiv thiab tsev neeg yuav poob siab tias lawv hais tsis tau dab tsi yog lawv npaj lawv tsis txaus.
- Yog cov lus tsis sib haum no ho loj hwj lawm los yuav tau muab coj los xab thooj ntau zaus thiaj yuav nrhiav tau qhov ob tog yuav tau.
- Kuj tsis paub tias kev xab thooj no yuav ua rau ob tog sib kho tau.

Cov lus coob tus tau nug txog kev xab thooj

Tus laus neeg tuaj xab thooj no puas txiav txim rau ob tog yuav?

Tsis txiav txim. Tus laus neeg txoj hauj lwm ces yog tuaj coj ob tog sib kho thiab tsim kom muaj txoj kev sib tham rau ob tog. Kev xab thooj yog ib txoj kev los daws teeb meem.

Leej twg yog tus yuav them tus nqi xab thooj?

Cov niam cov txiv yuav tsis raug them tus nqi xab thooj no yog tias muaj ib tug tau hais kom muaj kev sib kho ob tog lus lawm es thiaj muaj kev xab thooj tawm los. Fab kev kawm ntawv yuav yog tus muaj feem xyuam los muab kev xab thooj no. Qee lub xeev thiab qee koog tsev kawm ntawv yuav muaj kev xab thooj pub dawb rau ob tog yog thaum ib tug tau hais kom muaj kev sib kho ob tog lus ua ntej lawm.

Kuv yuav paub tau li cas tias tsev kawm ntawv yuav ua raws li qhov peb tau pom zoo tseg?

Ob tog yuav tau kos npe rau daim ntawv uas teev cov lus ob tog tau pom zoo thiab tau cog tseg hauv lub rooj xab thooj. Tib neeg yeej ua raws li qhov tau hais tseg yeeb vim lawv yog cov los txiav txim siab rau qhov lawv yuav tau.

Yuav zoo li cas thaum kev xab thooj no kho tsis tau lawm?

Kev tshawb xyuas txog kev xab thooj pom tau tias kev xab thooj yog ib txoj kev sib kho tau ntau dua. Thaum ob tog ho sib kho tsis tau los, cov niam cov txiv yeej tseem muaj txoj cai hais mus ntxiv rau hauv kev sib kho ob tog lus.

yog qhov ua kom muaj kev hais haum tau.

Cov lus coob tus tau nug txog kev xab thooj

Yuav muaj pis tsawg leej tuaj koom?

Qhov tiag mas, yuav tsum tsis txhob muaj coob leej tuaj. Ob tog yuav tau los pom zoo tias leej twg yog tus yuav tuaj tau thiab tej zaum ob tog yuav hais kom muaj tsawg tus tuaj xwb los muaj.

Ua li, puas pub kev xab thooj no rau lwm tus paub?

Tsis pub. Tsuas yog ob tog tswv cuab tuaj sib kho no xwb thiaj paub tias lawv tau sib kho haum li cas thiab tej zaum cov lus hais hauv kev sib kho no yuav tsis muab qhia rau lwm tus. Kev sib tham hauv rooj xab thooj no yuav muab tsis tau coj los hais rau hauv kev sib kho ob tog lus los sis kev hais plaub lawm yav tom ntej.

Yuav npaj mus xab thooj li cas

- Tshawb qhov teeb meem koj xav muab coj los hais rau hauv kev xab thooj kom meej.
- Sau qhov tsis haum koj cia. Qhov no yuav pab tau koj hais txhua qhov koj tsis txaus siab kom du du.
- Sau txhua cov lus nug koj yuav muab coj los hais.
- Npaj koj cov ntaub ntawv kom txaus. Sau cia hnub koj tau txais cov ntaub ntawv thiab sau koj cov lus tsis yeem cia. Muab luam tawm ua peb daim qauv; khaws ib daim rau koj, muab ib daim rau tog to, thiab muab ib daim rau tus tuaj coj ob tog sib kho.
- Npaj tswv yim tos tsam tog to ho muaj lus nug koj. Yeej meem sau tseg qhov koj yuav teb tau lawv.
- Xam txog ntau qhov uas yuav los daws tau qhov teeb meem.
- Hu mus nrog cov tub thoob tswv yim pab cov niam txiv nyob hauv Koom haum txhawb nqa niam txiv hauv xeev (State Parent Training and Information Center) los sis Koom haum txhawb nqa niam txiv hauv zej zog (Community Parent Resource Center) tham txog kev sib kho no. (Saib cov koom haum txhawb nqa niam txiv teev tseg rau phab kawg ntawm phau ntawv no.)
- Nrog tus thoob tswv yim pab sib tham seb nws yuav pab tau li cas.Tus thoob tswv yim pab no yuav teb tau koj cov lus nug thiab tej zaum yuav nrog koj mus koom tau kev xab thooj.

Cov chaw muab tau tej xov tseem ceeb txog kev xab thooj

Qhov chaw koom txhawb tswv yim rau cov koom haum txhawb nqa niam txiv (Technical Assistance Alliance) los yog qhov chaw sib koom tes ntawm cov niam txiv thiab cov tub thoob tswv yim txog kev kawm ntawv (Families and Advocates for Partnership in Education, FAPE) paub cov koom haum txhawb nqa niam txiv, khaws tau Txoj cai tuav Tsab cai kawm ntawv ntawm tib neeg tsis taus, xyoo 1997, thiab cov kev pab uas txhawb tau los lawm thiab muaj cov npe koom haum txhawb nqa niam txiv hauv xeev thiab hauv zej zog: Thov ncig mus xyuas tus Web site: *www.talliance.org* los yog *www.fape.org.*Tus xov tooj hu tau dawb yog: 1-888-248-0822

Qhov chaw txhim kho kom muaj kev sib kho yooj yim hauv kev kawm ntawv tshwj xeeb (The Consortium for Appropriate Dispute Resolution in Special Education, CADRE,) yog qhov chaw pab tswv yim txhim kho nyob hauv teb chaw txog kev sib kho qhov tsis sib haum uas muaj kev xab thooj nyob rau hauv.
Tus Web site: *www.directionservice.org/cadre*
Tus xov tooj yog: 541-686-5060.

Lwm qhov chaw koom txhawb kom muaj kev sib kho kuj yog Qhov chaw tsim ntaub ntawv hais txog cov me nyuam thiab cov hluas tsis taus (The National Information Center for Children and Youth with Disabilities, NICHY) uas yuav teb tau qhov cov niam txiv xav paub.
Tus Web site: *www.nichy.org.*
Tus xov tooj hu tau dawb: 1-800-695-0285.

Hu rau quov chaw nyob ze thaj tsam koj nyob:

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Hu rau cov koom haum txhawb nqa niam txiv hauv zej zog:

Kev xab thooj cov lus tsis sib haum hauv kev kawm ntawv tshwj xeeb yog ib phau ntawv rau cov niam txiv uas yog Qhov chaw koom txhawb tswv yim rau cov koom haum txhawb nqa niam txiv thiab qhov chaw txhim kho kom muaj kev sib kho yooj yim hauv kev kawm ntawv tshwj xeeb tau tsim los. Phau ntawv no tau tsim los raws li tau cog lus nrog qhov chaw txhawb kev kawm ntawv tshwj xeeb ntawm ceem fwv fab kev kawm ntawv, CFDA H326D98002.

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